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CHILD LACED IN JAIL WITH MOTHER

Little Walker Girl Incarcerated in Cell With Erring Parent.

FATHER WANTS POSSESSION

Mother Was Notified of Intention to Take Daughter to Lynchburg.

While the police were preparing yesterday morning to send the three-year-old child of Mrs. Lizzie Walker, arrested here two weeks ago in a charge of living with "Tilton Thompson, a Richmond man, as man and wife to the child's father, Atkinson, after they had had some difficulty with Mrs. Stebbins, who runs the house.

Early yesterday morning Sergeant Kellum requested Mrs. Stebbins to have the child ready for him at 3 o'clock, as the father, who is employed by the Hancock Tobacco Company, in Lynchburg, had written to the police authorities here and asked them to send his little girl to him.

Child Taken to Jail.

In some way the prisoner-mother was notified that the child was to be taken away, and she enlisted the sympathy of City Sergeant John L. Satterfield, who talked with Justice Crutchfield about the matter. The result was that the child was taken to the City Jail between 9 and 10 o'clock, and turned over to the father.

Both mother and daughter were placed in a private cell, while Thompson occupies a cell in the third tier. The mother refuses to surrender the child, and the father seems equally determined to get her into his possession.

The question now before Justice Crutchfield, and one which will be undoubtedly brought to his attention, is whether the mother, an inmate of the City Jail, shall have the right to keep possession of the child, and whether she is fit person to have the child under her control.

In cases where the child is absolutely dependent on its mother, it is customary to allow prisoner-mothers possession of their children. In this particular case, however, where the child is not absolutely dependent on her mother, it is probable that serious objection will be raised. It is argued that a jail is hardly a suitable place in which to hold an innocent person of tender years, and that there will be no effort on the part of the father to bring the child out of such surroundings is without doubt.

Further activity will be taken today by the police to have the girl taken from the custody of its mother and turned over to the father, in the event of refusal by Justice Crutchfield, if City Sergeant Satterfield, it is probable that other steps will be taken by the father.

Mrs. Walker and Thompson were fined in Police Court, and went to jail in default. Thompson has a wife living here on Beverly Street. Mrs. Walker came from Campbell county, and the couple were arrested at the instance of Constable T. H. Brown, of that county, who communicated with the police authorities here and informed them of the alleged larceny. The child was left in the care of Mrs. Stebbins, to whom she appeared more devoted than she was to her own mother.

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IN CASES WHERE THE CHILD IS ABSOLUTELY DEPENDENT ON ITS MOTHER, IT IS CUSTOMARY TO ALLOW PRISONER-MOTHERS POSSESSION OF THEIR CHILDREN. IN THIS PARTICULAR CASE, HOWEVER, WHERE THE CHILD IS NOT ABSOLUTELY DEPENDENT ON HER MOTHER, IT IS PROBABLE THAT SERIOUS OBJECTION WILL BE RAISED. IT IS ARGUED THAT A JAIL IS HARDLY A SUITABLE PLACE IN WHICH TO HOLD AN INNOCENT PERSON OF TENDER YEARS, AND THAT THERE WILL BE NO EFFORT ON THE PART OF THE FATHER TO BRING THE CHILD OUT OF SUCH SURROUNDINGS IS WITHOUT DOUBT.

FURTHER ACTIVITY WILL BE TAKEN TODAY BY THE POLICE TO HAVE THE GIRL TAKEN FROM THE CUSTODY OF ITS MOTHER AND TURNED OVER TO THE FATHER, IN THE EVENT OF REFUSAL BY JUSTICE CRUTCHFIELD, IF CITY SERGEANT SATTERFIELD, IT IS PROBABLE THAT OTHER STEPS WILL BE TAKEN BY THE FATHER.

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ARGUE CLOSING OF SCOTT ALLEY

Lawyers Cite Large Number of Precedents and Authorities.

WHAT MR. SCOTT PROPOSES

Chancery Courtroom Stacked High With Law Books—Goes On Again To-Day.

Extended argument was heard by Judge Daniel Grinnan in the Chancery Court of the City of Richmond yesterday on the injunction proceedings brought by N. W. Howe and others, who seek to prevent Fred W. Scott and others from closing an alley in the rear of the Scott property on Franklin Street, between Shafer and Harrison. There was a wealth of legal talent present, and probably as many as 100 citations were made to precedents, the court room being stacked high with law books brought in for the consideration of Judge Grinnan. Richard Evelyn Byrd and David Meade White appeared for Mr. Howe, while Mr. Scott was represented by Braxton & Eggleston and by Dake & Leary. City Attorney Pollard attended on behalf of the city, but took little part in the city's interests up to this time not having been attacked.

Some months ago the City Council granted Mr. Scott the right to close an alley in rear of his premises, the consent of all abutting property owners having been obtained. Mr. Howe, who lives in the same block, protested, and the matter was heard at length before the Committee on Streets on two occasions, and finally recommended to the Council.

Regular Circumstances.

It was stated that the Scotts in question is an irregular shaped one, bounded by Franklin Street and Park Avenue, Shafer and Harrison Streets; that Park Avenue and Franklin Streets are not parallel, and that the depth of the block is much greater at the Harrison Street end than at the Shafer Street end. In this block there are now four alleys, two running in each direction. Mr. Scott calls the "most alleys" block in the city.

The four alleys cross each other from a square in the middle of the large block. This interior square, which has no street frontage whatever, but which faces on four alleys, was acquired by Mr. Scott some time ago, and on it he erected stables. Later he acquired a frontage on Franklin Street, and moved his stables to one of the alleys bounding his interior lot, on which he has erected a handsome residence. He desires now to close the section of the alley between his house and his stable, his own being the only property abutting.

Having turned back to build over the alley, to reopen and repave it whenever the city might direct, and to permit water and gas pipes, sewers and other underground construction. Many of the property owners on the block are in the ground that the parking of the block in the center of the square would be a general benefit from a health and aesthetic standpoint, and an improvement to values in the neighborhood.

Mr. Howe had been instrumental in having the alley opened in the first instance, and in having it paved, and notified the city that he would contest the